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10/628,097	07/28/2003	Raymond A. Liberatore	12534	3525

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Scott J. Fields, Esquire
National IP Rights Center, LLC
550 Township Line Road, Ste. 400
Blue Bell, PA 19422

EXAMINER	
PRUNNER, KATHLEEN J	

ART UNIT	PAPER NUMBER
3751	

DATE MAILED: 08/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/628,097	LIBERATORE, RAYMOND A.	
	Examiner	Art Unit	
	Kathleen J. Prunner	3751	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *July 28, 2003, Oct. 3, '03, Nov. 10, '03*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *28 July 2003* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *100303, 111003*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) **mentioned** in the description: (**A**) **21** (note line 23 on page 6); and (**B**) **17a** (note lines 20-21 on page 10). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "34" has been used to designate both a spreader flap or blade (note Fig. 5 and lines 8-9 on page 7) and a nozzle entrance (note Fig. 8 and line 15 on page 7). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "112a" has been used to designate both a bore (note Fig. 19 and line 4 on page 9) and a nozzle outlet (note Fig. 19 and lines 11 and 15 on page 9). Corrected drawing

sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) **not mentioned** in the description: **32a** (note Fig. 5) and **61b** (note Fig. 15). Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

5. The drawings are objected to because: the lead line for "189" in Fig. 6 fails to correspond with the description of 189 in the sentence beginning on line 11 of page 7. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and

appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

6. The drawings are objected to under 37 CFR 1.84(h)(5) because Figure 18 show(s) modified forms of construction in the same view. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

7. In addition to Replacement Sheets containing the corrected drawing figure(s), applicant is required to submit a marked-up copy of each Replacement Sheet including annotations indicating the changes made to the previous version. The marked-up copy must be clearly labeled as "Annotated Marked-up Drawings" and must be presented in the amendment or remarks section that explains the change(s) to the drawings. See 37 CFR 1.121(d). Failure to

timely submit the proposed drawing and marked-up copy will result in the abandonment of the application.

Specification

8. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract **should be in narrative form** and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. **The form and legal phraseology often used in patent claims**, such as "means" and "said", **should be avoided**. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns", "The disclosure defined by this invention", "The disclosure describes", etc.

9. The abstract of the disclosure is objected to because: (**A**) it is not in narrative form; and (**B**) it uses the form used in patent claims, i.e., a single sentence. Correction is required. See MPEP § 608.01(b).

10. The following informalities in the specification are noted: (**A**) the use of underlining portions of the reference characters on pages 7-10 is improper since only Reissue applications are permitted to use underlining; (**B**) on pages 9 and 10, the interchangeable use of "terminal" using both "110a" and "110a' " is confusing — clarification is needed; and (**C**) on page 10, line 20, "spreader" is misspelled. Appropriate correction is required.

Claim Rejections - 35 USC § 112

11. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

12. Claims 1-21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

13. In regard to claims 1, 5, 7, 8 and 18, the "dispenser" (on lines 1-2 and 6-8 of claim 1) is inferentially included as part of the claimed combination of elements rendering the claims indefinite as to whether the combination of a dispenser and a dispensing nozzle/spreader surface or the subcombination of a dispensing nozzle/spreader surface is intended to be claimed. Should applicant intend the "dispenser" to be a positive element of the claimed combination, then positive structural antecedent basis should be provided therefore. If not, the terminology "adapted to be" could be used.

Claim Rejections - 35 USC § 102

14. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

15. Claims 1-4, 7, 15, 16 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Rodriguez. Rodriguez discloses a combination having all the claimed features including a dispensing nozzle (constituted by the outlet slot 10) associated with a dispenser (constituted by receptacle 7) to dispense flowable material (constituted by the wax contained in the receptacle 7), and a spreader (constituted by spatula 11) associated with the nozzle 10 (note Figs. 3-5) whereby the dispenser 7 may be manipulated to cause the spreader 11 surface to spread material dispensed via the nozzle 10. With respect to claim 2, Rodriguez also discloses that the spreader surface has the form of a spatula surface and is either on a cap (constituted by intermediate part 12) attached to the dispenser 7 (note Figs. 3-5) or attached to the dispenser 7 (note lines 19-20 in col. 3) and is located proximate to the nozzle 10 exit (note Figs. 3-5). With respect to claim 3, Rodriguez further discloses that the spreader surface is both proximate and at the nozzle 10 (note

Figs. 3-5) and carried by the nozzle 10. With regard to claim 4, Rodriguez additionally discloses that the spreader 11 has the form of a flap or blade located at the nozzle outlet (note Figs. 3-5) and is stiff. With regard to claim 7, Rodriguez further discloses that the nozzle 10 has a fitting (constituted by ridge 4) to attach it to the dispenser 7 (note from line 63 in col. 2 to line 3 in col. 3). With respect to claims 15 and 16, Rodriguez also discloses that the spreader 11 is angled so as not to engage the layered spread material as the material is dispensed through the nozzle 10 and is also angled relative to the nozzle 10 (note lines 51-61 in col. 3). With regard to claim 18, Rodriguez additionally discloses the method of spreading the dispensed material (note lines 40-50 in col. 1).

16. Claims 1-4, 7, 8, 17, 18 and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Benedict et al. Benedict et al. disclose a combination having all the claimed features including a dispensing nozzle 16 associated with a dispenser (constituted by tube 10) to dispense flowable material (note lines 6-7 in col. 1), and a spreader (constituted by applicator blade 20) associated with the nozzle 16 (note Figs. 1, 2E, 3 and 4) whereby the dispenser 10 may be manipulated to cause the spreader 20 surface to spread material dispensed via the nozzle 16 (note lines 28-30 in col. 4). With respect to claim 2, Benedict et al. also disclose that the spreader surface has the form of a spatula surface (note line 58 in col. 3) and is on a cap (constituted by nozzle 16) attached to the dispenser 10 and is located proximate the nozzle exit (constituted by outlet 22). With respect to claim 3, Benedict et al. further disclose that the spreader surface is both proximate and at the nozzle 16 and carried by the nozzle 16 (note Fig. 3). With regard to claim 4, Benedict et al. additionally disclose that the spreader 20 has the form of a blade (note Fig. 4) located at the nozzle outlet (note Fig. 2E) and is flexible (note line 28 in col. 4). With regard to claims 7 and 8, Benedict et al. also disclose that the nozzle 16 has a fitting comprising threads to attach it to the dispenser 10 (note Fig. 2E and from line 66 in col. 2 to line 4 in col. 3). With respect to claim 17, Benedict et al. further disclose that the spreader 20 tapers toward a flexible tip 27 (note Fig. 2) and has a body of sufficient thickness (note Figs. 1C, 1D and 2E) so as to be manipulable without flexing. With regard to claim 18, Benedict et al. additionally

disclose the method of spreading the dispensed material (note lines 28-30 in col. 4) and of squeezing the dispenser 10 (note lines 25-27 in col. 4).

17. Claims 1-4, 7, 9 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Knapp. Knapp discloses a combination having all the claimed features including a dispensing nozzle 13 associated with a dispenser (constituted by bottle or tube 15') to dispense flowable material (constituted by the liquid, semi-liquid contained in the bottle or tube 15'), and a spreader 7 associated with the nozzle 13 (note Figs. 3-8) whereby the dispenser bottle or tube 15' may be manipulated to cause the spreader 7 surface to spread material dispensed via the nozzle 13 (note lines 17-21 in col. 1). With respect to claim 2, Knapp also discloses that the spreader surface has the form of a blade surface (note lines 32-34 in col. 2) and is on a cap 15 attached to the dispenser 15' (note Figs. 3-8) and is located proximate to the nozzle 13 exit 20. With respect to claim 3, Knapp further discloses that the spreader surface is both proximate and at the nozzle 13 (note Figs. 3-8) and carried by the nozzle 13. With regard to claim 4, Knapp additionally discloses that the spreader 7 has the form of a blade (note Figs. 1-8) located at the nozzle outlet and is flexible (note lines 32-36 in col. 2). With regard to claim 7, Knapp further discloses that the nozzle 13 has a fitting (constituted by holes 8 and 9) to attach it to the dispenser 15' (note lines 45-47 in col. 2). With respect to claims 9 and 10, Knapp also discloses that the spreader 7 has a serrated edge 12 to engage the dispensed and layered material (note lines 42-44 in col. 2). With respect to claim 10, the serrated edge 12 of the spreader 7 of Knapp would inherently produce a striated surface configuration on the dispensed material especially if the material is of a viscous nature.

18. Claims 1-4, 6-8, 15, 16 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Stull. Stull discloses a combination having all the claimed features including a dispensing nozzle (constituted by spent portion 26) associated with a dispenser (constituted by tube 19) to dispense flowable material (constituted by the contained substance, note lines 71-73 in col. 3), and a spreader (constituted by the blade 34) associated with the nozzle 26 (note Fig. 4) whereby the dispenser tube 19 may be manipulated to cause the spreader 34 surface to spread material

dispensed via the nozzle 26 (note lines 65-71 in col. 1 and lines 71-73 in col. 3). With respect to claim 2, Stull also discloses that the spreader surface has the form of a spatula and blade surface (note lines 20-24 in col. 4) and is on a cap (constituted by the cap structure — note lines 27-34 in col. 3) attached to the dispenser 19 (note Figs. 1-5) and is located proximate to the nozzle 26 exit opening or orifice 28 (note Fig. 4). With respect to claim 3, Stull further discloses that the spreader surface is both proximate and at the nozzle 26 (note Fig. 4) and carried by the nozzle 26. With regard to claim 4, Stull additionally discloses that the spreader 34 has the form of a blade (note Figs. 1-5) located at the nozzle outlet 28 and is flexible (note lines 20-23 in col. 4). With respect to claim 6, Stull further discloses that the nozzle is flexible (note lines 13-19 in col. 3). With regard to claims 7 and 8, Stull additionally discloses that the nozzle 26 has a fitting (constituted by hub 16) comprising threads to attach it to the dispenser 19 (note from lines 75 in col. 3 to line 4 in col. 4). With regard to claims 15 and 16, Stull also discloses that the spreader 34 is angled relative to the nozzle 26 (note Fig. 5 and lines 32-41 in col. 4). With respect to claim 18, Stull further discloses the method of spreading the dispensed material (note Fig. 5 and lines 65-71 in col. 1).

19. Claims 1-4, 7, 8, 15, 16 and 18-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Williams. Williams discloses a combination having all the claimed features including a dispensing nozzle 7 associated with a dispenser (constituted by tube 5) to dispense flowable material (constituted by the contained substance, note lines 13-20 on page 1) and a spreader (constituted by the blade 8) associated with the nozzle 7 (note Fig. 3) whereby the dispenser tube 5 may be manipulated to cause the spreader 8 surface to spread material dispensed via the nozzle 7 (note lines 13-20 on page 1). With respect to claim 2, Williams also discloses that the spreader surface has the form of a blade surface (note line 58 on page 1) and is on a cap (constituted by the extension 6 — note Fig. 3) attached to the dispenser 5 (note lines 54-55 on page 1) and is located proximate to the nozzle 7 exit or discharge orifice 9 (note Fig. 3 and lines 67-68 on page 1). With respect to claim 3, Williams further discloses that the spreader surface is both proximate and at the nozzle 7 (note Fig. 3) and carried by the nozzle 7. With regard to

claim 4, Williams additionally discloses that the spreader 8 has the form of a blade located at the nozzle outlet 9 and is stiff (note lines 4-9 on page 2). With regard to claims 7 and 8, Williams additionally discloses that the nozzle 7 has a fitting (constituted by threaded extension 6 — note Fig. 3) comprising threads to attach it to the dispenser 5 (note lines 54-58 on page 1). With regard to claims 15 and 16, Williams also discloses that the spreader 8 is angled relative to the nozzle 7 (note Figs. 1, 3 and 4 and lines 57-66 on page 1). With respect to claim 18, Williams further discloses the method of spreading the dispensed material (note lines 61-66 and 96-101 on page 1). With regard to claims 19 and 20, Williams additionally discloses a cap 12 fitting endwise over the nozzle 7 and over the spreader 8 surface (note Fig. 3). With respect to claim 20, Williams also discloses that the cap 12 has an interior configuration to conform to the nozzle 7, the nozzle outlet 9 and the spreader 8 surface (note Fig. 3).

20. Claims 1-4, 7, 13, 14, 18 and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Rinaldi. Rinaldi discloses a combination having all the claimed features including a dispensing nozzle (constituted by head 10) associated with a dispenser (constituted by barrel or cylinder 23) to dispense flowable material (constituted by the contained substance, note lines 9-11 on page 1) and a spreader (constituted by the pusher or presser 13) associated with the nozzle 10 (note Figs. 1 and 2) whereby the dispenser 23 may be manipulated (note lines 97-106 on page 1) to cause the spreader 13 surface to spread material dispensed via the nozzle 10 (note lines 69-73 on page 1). With respect to claim 2, Rinaldi also discloses that the spreader surface has the form of a spatula surface (note lines 65-67 on page 1) attached to the dispenser 23 (note Figs. 1 and 2) and located proximate the nozzle exit or opening 11. With respect to claim 3, Rinaldi further discloses that the spreader 13 surface is both proximate and at the nozzle 10 (note Figs. 1 and 2). With regard to claim 4, Rinaldi additionally discloses that the spreader 13 has the form of a flap or blade located at the nozzle outlet 11 and is stiff (note Figs. 1 and 2). With regard to claim 7, Rinaldi further discloses that the nozzle 10 has a fitting (constituted by flange 9) to attach it to the dispenser 23 (note lines 55-58 on page 1). With respect to claims 13 and 14, Rinaldi also discloses an adjuster on the nozzle 10 to adjust the positioning of the spreader 13

surface relative to the nozzle exit 11 (note lines 65-66 and 73-81 on page 1). With respect to claim 14, the adjusting screw 21 of Rinaldi inherently constitutes a protrusion that is finger engageable sidewardly of the nozzle 10 (note Fig. 1). With regard to claim 18, Rinaldi further discloses the method of spreading the dispensed material (note lines 25-34 on page 1). With regard to claim 21, Rinaldi additionally discloses that the spreader 13 surface has a shallow lateral curvature (note Figs. 3 and 5).

Claim Rejections - 35 USC § 103

21. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

22. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Benedict et al. in view of D'Lemos. Benedict et al. further disclose that the material to be dispensed can include a variety of viscous materials such as adhesives, pastes and ointments (note lines 12-18 in col. 4). Although Benedict et al. fail to disclose that the material to be dispensed can include edible material, attention is directed to D'Lemos who discloses another dispenser having a spreader blade in which the dispenser is a squeezable tube used to contain and dispense spreadable or paste like substances or materials such as adhesives, ointments, relishes and edible pasty or spreadable substances (note lines 9-21 on page 1). It would have been obvious to one of ordinary skill in the applicator/dispensing art, at the time the invention was made, to substitute for the viscous materials of Benedict et al., the spreadable or paste like substances or materials of adhesives, ointments, relishes and edible pasty or spreadable substances as, for example, taught by D'Lemos wherein so doing would amount to mere substitution of one dispensing material for another that would work equally well in the Benedict et al. device.

23. Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knapp in view of Manadanas et al. Although Knapp fails to disclose that the nozzle has a serrated edge at the nozzle outlet, attention is directed to Manadanas et al. who disclose another dispenser for viscous materials having a nozzle 44 (note Figs. 5 and 5A) whose outlet 46 has serrated edges 48 in order to shape the material being dispensed (note lines 55-56 in col. 2). It would have been obvious to one of ordinary skill in the applicator/dispensing art, at the time the invention was made, to form the outlet of the nozzle of Knapp with serrated edges in view of the teachings of Manadanas et al. in order to shape the material being dispensed to have a certain configuration. With respect to claim 12, Knapp further discloses that the spreader 7 overlies at least part of the nozzle edge (note Fig. 5).

Conclusion

24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Kathleen J. Prunner whose telephone number is 703-306-9044.

25. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory L. Huson can be reached on 703-308-2580. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

26. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kathleen J. Prunner
August 10, 2004

GREGORY L. HUSON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700